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UNITED STATES DISTRICT COURT CLERKS OFFICE
DISTRICT OF MASSACHUSETTS

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C.A. NO. 03-12502-NMG
U.S. DISTRICT COURT
DISTRICT OF MASS

HARTFORD FIRE INSURANCE COMPANY,)
Plaintiff)
)
vs.)
)
EASTERN CONTRACTORS, INC.,)
Defendant/Third Party Plaintiff)
)
vs.)
)
CITY OF LAWRENCE, CITY OF FALL RIVER)
and FREETOWN/LAKEVILLE REGIONAL)
SCHOOL DISTRICT,)
Third Party Defendants)
_____)

**ASSENTED TO MOTION OF THIRD PARTY PLAINTIFF, EASTERN
CONTRACTORS, INC., FOR LEAVE TO FILE REPLY TO
COUNTERCLAIM LATE**

NOW COMES the Defendant/Third Party Plaintiff, Eastern Contractors, Inc. (hereinafter "Eastern"), and hereby moves this Honorable Court pursuant to Fed. R. Civ. P. 6(b) to enlarge the time within which Eastern may file its Reply to Counterclaim of Third-Party Defendant, City of Lawrence.

As grounds for its motion, Eastern states that the Counterclaim filed by the City of Lawrence was included in the answer to the Third Party Complaint at a time when the case was being transferred from Justice Stearns to Justice Gorton, and thereafter efforts were pursued at resolving certain of the third-party claims including those asserted against Freetown/Lakeville Regional School District, and subsequently those involving the City of Fall River. (See Docket entry number 35, partial stipulation of

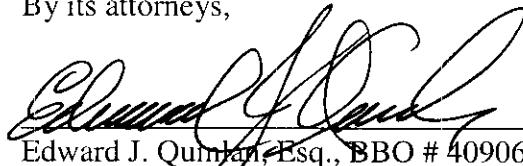
dismissal entered February 3, 2005.) Through inadvertence, a responsive Reply to the Counterclaim of the City of Lawrence was overlooked and in recent discussions with Counsel for the City of Lawrence it was observed that a Reply needed to be filed and further indicated that Lawrence would assent to filing such Reply late. There has been no request by any party that an entry of default be made with regard to the Counterclaim, and Eastern contends that it has meritorious defenses against the claims asserted in the Counterclaim, and no party will suffer prejudice by the granting of this motion.

Eastern has prepared its Reply to the counterclaim, and has attached such Reply to this motion.

WHEREFORE, Eastern Contractors, Inc. requests that the Court grant leave to file its Reply to Counterclaim of the City of Lawrence late, to enter such Reply on the docket in the form attached hereto, and for such further relief as the court deems just and proper.

Eastern Contractors, Inc.

By its attorneys,

A handwritten signature in black ink, appearing to read 'Edward J. Quinlan', is written over a horizontal line.

Edward J. Quinlan, Esq., BBO # 409060

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Assented to by Counsel for Third
Party Defendant City of Lawrence:

Dated: 3-15-05

Doreen Zankowski (sga)

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing
document was served on the attorney of record for
each other party in this action, by mail, postage
repaid, on 3-15-05

sga